

AGENDA

CONNECTICUT MEDICAL EXAMINING BOARD Tuesday, August 21, 2012 at 1:30 PM

**Legislative Office Building
Capitol Avenue, Hartford Connecticut
Conference Room 1-A**

CALL TO ORDER

I. APPROVAL OF MINUTES

June 19, 2012

II. UPDATES

- A. Chair Updates
- B. Information Updates
Department of Public Health

III. NEW BUSINESS

- A. Petition for Declaratory Ruling on Specific Procedures For Colonic Irrigation Administered by a Non-Medical Practitioner submitted by Caroline C. Baisley, Director of Health, Town of Greenwich, CT, received by the Department of Public Health in Hartford on July 23, 2012 *Daniel Shapiro, Assistant Attorney General*
- B. Motion for Stay on Demand for Payment of Fine re: Edwin Njoku, M.D.
Daniel Shapiro, Assistant Attorney General

IV. 120 DAY EXTENSIONS

M. J. Brackett, MD
S. Lam, MD
J. Lane, MD
C. McDonald, MD
P. Nath, MD
L. Telesford, MD

ADJOURN

The following minutes are draft minutes which are subject to revision and which have not yet been adopted by the Board.

**CONNECTICUT MEDICAL EXAMINING BOARD
MINUTES of June 19, 2012**

The Connecticut Medical Examining Board held a meeting on Tuesday, June 19, 2012 at the Legislative Office Building, 300 Capitol Avenue, Hartford, Connecticut in conference room 1-A.

BOARD MEMBERS PRESENT: Anne Doremus, Chairperson

Raymond Andrews, Jr., Esq.
Douglas Fellows, MD
David M. Goldenberg, MD
Jeffrey A. Gordon, MD
Robert Green, MD
Rabbi Dov Greer
Henry Jacobs, MD
Michael Lindberg, MD
Patricia Loving, PA
Daniel Rissi, MD
Howard Sadinsky, DO
C. Steven Wolf, MD

BOARD MEMBERS ABSENT Edward McAnaney, Esq.

Ms. Doremus called the meeting to order at 1:30 p.m.

I. MINUTES

The draft minutes of the April 17, 2012 meetings were reviewed. Dr. Green made a motion to approve the minutes as edited. The motion passed.

II. UPDATES

A. Chair Updates

1. Monthly tracking of pending cases.
2. Hearing assignments.

B. Department of Public Health
None

III. LEGAL OFFICE BUSINESS

A. Jose Estela, MD - Petition No. 2010-18

David Tilles, Staff Attorney, Department of Public Health presented a Consent Order in this matter. Attorney Mary Alice Moore Leonhardt was present with respondent. Dr. Wolf made a motion, seconded by Dr. Fellows, to approve the Consent Order. The motion passed unanimously. Ms. Doremus signed the Order which imposes a \$2000.00 civil penalty.

IV. LICENSING/EXAMINATIONS

Reinstatement Application - Janet A. Pappianni-Paret, M.D.

Maritsa Morales License and Applications Analyst, Department of Public Health presented a reinstatement application for Janet Pappianni-Paret, M.D.

Dr. Jacobs made a motion, seconded by Dr. Gordon, to recommend that Dr. Pappianni-Paret's license be reinstated. The motion passed unanimously.

V. LEGAL OFFICE BUSINESS cont,

B. Gerald Micalizzi, MD - Petition No. 2010-260

Matthew Antonetti, Principal Attorney, Department of Public Health presented a Consent Order in this matter. Attorney Michael Rigg was present with respondent..

Rabbi Greer made a motion, seconded by Ms. Loving, to approve the Consent Order. The motion passed unanimously. Ms. Doremus signed the Order which imposes a \$20000.00 civil penalty and probation for a period of six months.

C. Michael Ajemian, MD - Petition No. 2012-195

Matthew Antonetti, Principal Attorney, Department of Public Health presented a motion for summary suspension in this matter. Assistant Attorney General Daniel Shapiro was present to provide legal advice to the Board. Respondent was not present or represented.

Following review of the Department's motion and an email reply from respondent, Dr. Wolf made a motion, seconded by Dr. Green, to grant the summary suspension motion. The motion passed unanimously. Ms. Doremus signed the Summary Suspension Order. A hearing will be scheduled for June 29, 2012. Hearing panelists will be Ms. Doremus, Rabbi Greer, and Velandy Manohar, MD.

D. Tory Westbrook, MD - Petition No. 2012-187

Matthew Antonetti, Principal Attorney, Department of Public Health presented a motion for summary suspension in this matter. Assistant Attorney General Daniel Shapiro was present to provide legal advice to the Board. Neither respondent nor his attorney was present.

Following review of the Department's motion and a reply from respondent's attorney, Dr. Jacobs made a motion, seconded by Dr. Gordon, to grant the summary suspension motion. The motion passed unanimously. Ms. Doremus signed the Summary Suspension Order. A hearing will be scheduled for June 26, 2012. Hearing panelists will be Dr. Green, Elliott Alter, OD, and Edward Osswalt, Esq.

E. Carl Schiano, DO - Petition No. 2012-83

David Tilles, Staff Attorney, Department of Public Health presented a motion to withdraw the Statement of Charges in this matter based on Dr. Schiano's surrender of his license. Neither respondent nor his attorney was present.

Dr. Wolf made a motion, seconded by Dr. Gordon, to grant the motion to withdraw the Statement of Charges. The motion passed unanimously. Ms. Doremus signed the Order.

VI. NEW BUSINESS

A. Proposed Memorandum of Decision

Anton Chinniah, MD - Petition No. 2009-0114-001-008

The Board reviewed the second proposed Memorandum of Decision in this matter.

Dr. Fellows made a motion, seconded by Green, to adopt the decision as written. The motion passed unanimously.

Ms. Doremus signed the Order which dismisses the statement of charges in this matter.

B. Proposed Memorandum of Decision

Mahmood Yekta, MD - Petition No. 2007-0328-001-047

Attorney Christine Robinson was present on behalf of respondent. Staff Attorney David Tilles was present for the Department of Public Health.

Dr. Fellows made a motion, seconded by Rabbi Greer, to adopt the decision as written. The motion passed with all in favor except Dr. Wolf who recused himself. Ms. Doremus signed the Order, which imposes a \$1500.00 civil penalty.

- C Proposed Memorandum of Decision
Mary Jane Brackett, MD - Petition No. 2009-200970
Respondent was present with attorney Jason Prueher. Staff Attorney Linda Fazzina was present for the Department of Public Health. Assistant Attorney General Daniel Shapiro was present to provide legal advice to the Board.
Dr. Rissi, chairman of the hearing panel, provided a synopsis of the hearing panel's findings and recommendations.
The Board heard argument from Attorney Fazzina and Attorney Prueher concerning the proposed Memorandum of Decision and the Department's request that the decision be modified to provide for a more stringent penalty.
Dr. Wolf made a motion, seconded by Mr. Andrews, that the proposed decision be remanded to the hearing panel for reconsideration of the proposed discipline. The motion passed with all in favor except Dr. Rissi and Dr. Sadinsky who abstained.
- D Proposed Memorandum of Decision
John Lynch II, MD - Petition No. 2011-142
Attorney Sandra Gersten was present on behalf of respondent. Staff Attorney David Tilles was present for the Department of Public Health. Assistant Attorney General Daniel Shapiro was present to provide legal advice to the Board.
The Board heard comments from Attorney Gersten and Attorney Tilles concerning the proposed Memorandum of Decision.
Dr. Fellows made a motion, seconded by Dr. Rissi, to adopt the decision as written. The motion passed with all in favor except Dr. Lindberg who recused himself. Ms. Doremus signed the Order which revokes respondent's license to practice.
- E. Proposed Memorandum of Decision
Robban Sica, MD - Petition No. 2007-0227-001-030
Respondent was without representation. Staff Attorney David Tilles was present for the Department of Public Health. Assistant Attorney General Daniel Shapiro was present to provide legal advice to the Board.
Prince Song Cambilargiu addressed the Board regarding his request to intervene in this matter. Dr. Fellows made a motion seconded by Dr. Wolf to deny Mr. Cambilargiu's request to intervene.
The Board heard comments from Dr. Sica and Attorney Tilles concerning the proposed Memorandum of Decision and the Department's request that the monitor of respondent's practice be Board certified.
Dr. Wolf, chairman of the hearing panel, provided a synopsis of the hearing panel's findings and recommendations.
Dr. Green made a motion, seconded by Dr. Wolf, to grant the Department's motion requiring the practice monitor to be Board certified.
Dr. Green made a motion, seconded by Dr. Wolf, to adopt the proposed decision as amended. The motion passed unanimously. Ms. Doremus signed the Order which imposes a one month suspension, probation for a period of two years and a \$7700.00 civil penalty.
- D Proposed Memorandum of Decision
Edwin Njoku, MD - Petition No. 2012-106
Attorney Richard Brown was present on behalf of respondent. Staff Attorney David Tilles was present for the Department of Public Health. Assistant Attorney General Daniel Shapiro was present to provide legal advice to the Board.
The Board heard argument from Attorney Brown and Attorney Tilles concerning the proposed Memorandum of Decision. During argument Attorney Brown orally moved that these proceedings before the Board be stayed pending the conclusion of the criminal proceedings against Dr. Njoku.
Mr. Andrews left at 3:33 p.m.
Rabbi Greer left at 3:40 p.m.

Dr. Gordon made a motion, seconded by Dr. Fellows, to adopt the decision as written. The motion passed with all in favor except Dr. Wolf who recused himself. Ms. Doremus signed the Order, which revokes respondent's license to practice.

The adoption of the Memorandum of Decision renders Attorney Brown's motion as moot.

VII. 120 DAY EXTENSIONS

Michael Anthony, MD - Final day of hearing 6-12-2012, fact-finding to be scheduled

David. Goodkind, MD - Proposed Memorandum of Decision being drafted

Paul Sygall, MD - Fact-finding scheduled fro 6-29-2012

Mr. Goldenberg made a motion, seconded by Dr. Fellows, to grant a 120 day extension in these matters. The motion passed unanimously.

VIII. ADJOURNMENT

As there was no further business, the meeting was adjourned at 3:53 p.m.

Respectfully submitted,

Anne C. Doremus, Chairperson